The Written Opinion does not point to where Docherty teaches at least one scale factor being a function of a well (hard) data source. The Opinion has not pointed to any teaching or suggestion in Docherty where geostatistical interpolations are a function of lateral velocity trends developed from the seismic data. Docherty never mentions geostatistical interpolation or lateral velocity trends. Docherty does teach overlaying (Figure 9) selective windows of data, some computed with an accurate velocity model and some with an inaccurate velocity model, with a contour map for visualization purposes.

Likewise, Carney does not disclose calibrated velocity functions being the product of a combination of geostatistical interpolation of at least one scale factor with seismic (soft data) velocity functions. Applicant traverses that Carney's Figures 10 and 11 disclose applying scale factors to seismic data. Applicant traverses that Carney's page 28 Figures A-D show geostatistical interpolation of velocity functions.

Further, the Opinion points to no teaching or suggesting in either reference for developing a variogram model of lateral velocity trends. The Opinion does not point in either reference to a scale factor relating a hard data velocity function and a soft data velocity function. The Opinion does not show where either reference teaches or suggests geostatistically interpolating scale factors. The Opinion does not point in either reference to a portion that teaches geostatistical interpolations that are a function of a variogram model. The Opinion does not point to where either reference teaches or suggests developing a calibrated trend fitted RMS velocity model and/or a calibrated trend fitted interval velocity model.

For at least the above reasons Applicant respectfully traverses the allegations of anticipation.

date changed
1/17/06

1/16/6

Date

Respectfully Submitted,

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